

**MINUTES OF A REGULAR MEETING OF  
THE BOARD OF ZONING APPEALS  
OF THE CITY OF JASPER, INDIANA AND PUBLIC HEARING  
July 1, 2015**

Vice Chairman Josh Gunselman called the Regular Meeting of the Board of Zoning Appeals to order at 6:30 p.m. Secretary Dan Buck took roll call as follows:

Jerry Uebelhor, Chairman	-Absent	Randy Mehringer	-Present
Josh Gunselman, Vice Chairman	-Present	Darla Blazey Director of Community Development/Planning	-Present
Dan Buck, Secretary	-Present	Renee Kabrick, City Attorney	-Present
Bob Cook	-Absent		

Mayor Terry Seitz appointed Paul Lorey to serve on the board for tonight's meeting.

**PLEDGE OF ALLEGIANCE**

Vice Chairman Gunselman led the Pledge of Allegiance.

**APPROVAL OF THE MINUTES**

Minutes of the May 6, 2015 regular meeting were reviewed. Paul Lorey made a motion to approve the minutes as mailed. Randy Mehringer seconded it. Motion carried 4-0.

**STATEMENT**

Vice Chairman Gunselman read the following statement. "We are now ready to begin the public hearings scheduled for this evening. With respect to tonight's meeting and public hearings, we are hereby incorporating by reference into the record of tonight's meeting and public hearings, City of Jasper Ordinance Number 1993-17, entitled "Zoning Ordinance of the City of Jasper, Indiana and its jurisdictional area" and any and all amendments thereto, and the City of Jasper Comprehensive Plan. Audio and videotapes of these proceedings are also incorporated by reference into this evening's record."

**NEW BUSINESS**

**Petition of Kerstiens Homes & Designs, Inc. for a variance from Section 16.035.050 (Residential Zoning Sign Standards) on the dimensions of a monument sign**

Phil Buehler, of Brosmer Land Surveying, was present on behalf of Kerstiens Homes & Designs, to request a variance to place a monument sign in a residential zoned area at 700 Reyling Drive. The sign would be placed on Lot 1 (at the entrance of the new subdivision), The Legends at Autumn Creek. An elevation view of the subdivision was displayed showing the placement of the 25 square-foot sign.

There were two letters addressed to the board expressing support of the sign and also sharing their request that the address, 700 Reyling Drive, be placed on the sign since it is the road that leads into the subdivision and each house is only identified with a unit number, not an

address. The letters were submitted by Jack and Connie Yaggi, residents of the subdivision, and Sylvia Seger, who will be moving to the subdivision in the near future.

There were no remonstrators present. Following some discussion, Secretary Buck made a motion to close the public hearing. Paul Lorey seconded it. Motion carried 4-0.

Secretary Buck made a motion to grant a variance to allow a monument sign as presented in a residential zoned area. Paul Lorey seconded it. Motion carried 4-0.

**Petition of Terry Egnew for a variance from Section 16.02.120 (Lot & Yard Requirements) (Table B) to allow a dwelling (guest cabin) of less than 1,200 square feet that will serve as an accessory structure and a variance from Section 16.02.130 (Setback Requirements) to build within zero (0) feet of the side yard**

Terry and Mary Egnew were present to request a variance to place an accessory building to be used as a guest cabin on their property located at 1879 W. 3<sup>rd</sup> Street. The Egnews own two lots, totaling approximately two acres. Plans are to place a small (12ft x 24ft) guest cabin on the same lot as their house to be used for occasional visits from family and friends. The cabin would be equipped with water, sewer and electricity for a kitchen and bathroom. The Egnews initially requested to place the building on the property line and after hearing some concerns from board members, the Egnews agreed to place it two feet from the property line.

There were no remonstrators present. Following some discussion, Paul Lorey made a motion to close the public hearing. Secretary Buck seconded it. Motion carried 4-0.

Paul Lorey made a motion to grant a variance from Section 16.02.120 (Lot & Yard Requirements) (Table B) to allow an accessory structure of less than 1,200 square feet on the property located at 1879 W. 3<sup>rd</sup> Street. Secretary Buck seconded it. Motion carried 4-0.

Paul Lorey made a motion to grant a variance from Section 16.02.130 (Setback Requirements) to place an accessory structure two feet from the side yard property line. Secretary Buck seconded it. Motion carried 4-0.

**Petition of Bishop of the Catholic Diocese Bishop Charles C. Thompson for a variance from Section 16.035.060 (Business and Industrial Zoning Sign Standards) (5) Free-Standing Individual Business Signs (c) Monument Sign**

Fr. Ray Brenner, Pastor of St. Joseph Catholic Church, was present to request a variance to replace the monument sign located along Newton Street with an electronic sign. Fr. Brenner introduced Kip Husk, owner of Husk Sign Company, to present a site plan and explain the dimensions of the sign.

Mr. Husk told the board there are many churches that are using electronic signs as the best objective to 'get the message out' regarding community and church related information. The site plan displayed showed the current location of the 3ft. x 12ft monument sign. The proposed electronic sign measures 3ft. x 9ft and the total overall size measuring 7' x 10'. A high quality LED screen was selected due to the distance of the sign from the road. Discussion followed.

Judy Rohleder, 1437 E. St. James Avenue, appeared before the board expressing her objection to the proposed sign. Mrs. Rohleder explained that St. Joseph Catholic Church is listed on the National Register of Historic Places and, in her opinion, placing an electronic sign on the property is not appropriate for St. Joseph Catholic Church. After some discussion, Attorney Kabrick asked Mrs. Rohleder if placing the sign would in any way affect the church's status on the National Register. Mrs. Rohleder said to her knowledge it would not affect the church's status; however, she reiterated her concerns. Although board members listened to Mrs. Rohleder's concerns, they were in agreement that electronic signs are simply the newest and most convenient way to publicly send a message.

Mike Hagerdon, an employee St. Joseph's in charge of communication, evangelization and outreach at the church, said he appreciates Mrs. Rohleder's passion regarding the historical view of the church; however, the church's mission is not that of a historical building, but a church. The church is very dedicated in outreach, and the proposed sign was chosen in a conservative, aesthetic manner.

Board members had concerns on the height of the sign. Mr. Husk said the proposed height is eight (8) feet from the bottom to the top of the sign. The City's ordinance (monument sign standards) states the height shall not exceed seven (7) feet. After realizing the board was not in favor of the proposed height, Mr. Husk spent a few moments speaking with Fr. Brenner and Mr. Hagerdon and determined that the sign could be changed to 7 feet in height and still have the same effect.

Paul Lorey made a motion to close the public hearing. Secretary Buck seconded it. Motion carried 4-0.

Secretary Buck made a motion to grant a variance to allow a monument sign with a height not to exceed seven (7) feet from the bottom of the base to the top of the sign. Randy Mehringer seconded it. Motion carried 4-0.

**Petition of Glen Hopf for a variance from Section 16.02.120 (Lot & Yard Requirements) to build a residential addition (pool closure) within 3 feet of the side yard and within 3 feet of the rear yard and a variance to allow construction of an accessory building (detached garage) closer than 10 feet from the principal building**

Paul Lorey recused himself due to a conflict of interest.

Phil Buehler, of Brosmer Land Surveying, was present on behalf of Glen Hopf, 3210 Leslie Drive, requesting a variance to build a residential addition within three feet of the side yard (north side) and three feet of the rear yard (east side). Mr. Hopf is proposing to extend the house onto the back and construct an indoor pool. A request is also being sought to construct a detached garage closer than 10 feet from the residence. Some board members inquired why the Hopfs prefer a detached garage instead of attaching it to the house. Mr. Buehler explained that their plans are to have enough room for a courtyard and also intend to keep most of the trees on the property.

A site plan was displayed showing the location of the proposed addition and detached garage. The sketch highlighted the overhang; however, Mr. Buehler was not for certain how much each one measured.

Discussion followed. There were no remonstrators present. Secretary Buck made a motion to close the public hearing. Randy Mehringer seconded it. Motion carried 3-0.

After the public hearing was closed and before the motion was stated, Mr. Buehler asked if he could table the request and gather more information by next month's meeting since there was only a three-member board at tonight's meeting. (All three members must be in favor in order for the variances to be granted)

Secretary Buck made a motion to reopen the public hearing. Randy Mehringer seconded it. Motion carried 3-0.

Per Phil Buehler's request, Secretary Buck made a motion to table the public hearing until next month's meeting. Randy Mehringer seconded it. Motion carried 3-0.

### **Update on Unified Development Code**

Community Development & Planning Director Darla Blazey shared with the board that Aaron Kowalski, of Ratio Architects, will be emailing a draft copy of the Unified Development Code (UDO) to the board and also to committee members, council and department heads for review. Discussion will continue at next month's meeting.

### **ADJOURNMENT**

With no further discussion, Secretary Buck made a motion to adjourn the meeting. It was seconded by Randy Mehringer. Motion carried 4-0, and the meeting was adjourned at 7:58 p.m.

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Jerry Uebelhor, Chairman

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Dan Buck, Secretary

Recording Secretary, Kathy Pfister